

**Notice of Allowability**

Application No.

10/534,273

Examiner

Amy R. Cohen

Applicant(s)

OURA, YASUSHI

Art Unit

2859

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 5/09/2005.
2. ☒ The allowed claim(s) is/are 11-28.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 5/9/05
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

## **DETAILED ACTION**

### ***Allowable Subject Matter***

1. Claims 11-28 are allowed.
2. The following is an examiner's statement of reasons for allowance:

Regarding claims 11, 13-18, and 25-28: The prior art does not disclose or suggest a length measuring instrument for measuring the length of a part being measured by the draw-out length of a measuring belt, comprising: a housing; a rotary shaft rotatably held inside said housing; the measuring belt wound around said rotary shaft so that one end portion thereof is fixed to the rotary shaft, comprising a latching tool on the other end portion, and causing said rotary shaft to rotate in the forward direction when the measuring belt is drawn out from the side of said other end portion to the outside of said housing; a latching section provided outside said housing and capable of latching with the latching tool of said measuring belt; and a guiding unit having the prescribed length and formed on the outer side surface of said housing, wherein said guiding unit comprises a distal end section provided with said latching section, and the measuring belt that has been drawn out from said housing is guided till the distal end section is reached along said guiding unit, and said latching tool is latched with said latching section and cues the measuring belt in combination with the remaining limitations of the claims.

Regarding claims 12 and 19-24: The prior art does not disclose or suggest The prior art does not disclose or suggest a length measuring instrument for measuring the length of a part being measured by the draw-out length of a measuring belt, comprising: a housing; a rotary shaft rotatably held inside said housing; the measuring belt wound around said rotary shaft so that one end portion thereof is fixed to the rotary shaft, comprising a latching tool on the other end

Art Unit: 2859

portion, and causing said rotary shaft to rotate in the forward direction when the measuring belt is drawn out from the side of said other end portion to the outside of said housing; a latching section provided outside said housing and capable of latching with the latching tool of said measuring belt; and a guiding unit having the prescribed length and formed on the outer side surface of said housing, wherein said guiding unit is formed as a rod-like body having one end section thereof rotatably connected to said housing, the other end section of the rod-like body constitutes the distal end section where said latching section is provided, and the measuring belt that has been drawn out from said housing is guided till the distal end section is reached along said guiding unit, and said latching tool is latched with said latching section and cues the measuring belt in combination with the remaining limitations of the claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following patents disclose measuring instruments Weeks (U. S. Patent No. 6,898,866), Bohnengel (U. S. Patent No. 6,817,110), Corcoran (U. S. Patent No. 5,743,021), Koizumi et al. (U. S. Patent No. 5,406,715), Benarroch (U. S. Patent No. 5,367,785), Lincoln et al. (U. S. Patent No. 5,060,394), Crane (U. S. Patent No. 5,027,526), Becher (U. S. Patent No. 4,920,659), Kang (U. S. Patent No. 4,587,738), Fass et al. (U. S. Patent No. 4,642,899),

Art Unit: 2859


Trethewey et al. (U. S. Patent No. 4,092,780), Caparros (U. S. Patent No. 2,854,753), Carlson (U. S. Patent No. 2,410,713), Crogan (U. S. Patent No. 1,424,085), and Saxton (U. S. Patent No. 809,139).

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Amy R. Cohen whose telephone number is (571) 272-2238. The examiner can normally be reached on 8 am - 5 pm, M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Diego F. Gutierrez can be reached on (571) 272-2245. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ARC  
August 7, 2006

  
G. Bradley Bennett  
Primary Examiner  
Tech Center 2800